

REMARKS

Claims 2-5 and 7-16 are currently pending in the application. Claims 14-16 are hereby cancelled. New claims 17 and 18 are presented for consideration.

Claims 2-5, 7-11, and 13 stand rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,894,610, to Schubert et al. (Schubert), in view of U.S. Patent No. 6,452,572, to Fan et al. (Fan). Claim 12 stands rejected under 35 U.S.C. § 103 as obvious over Schubert in view of Fan, and further in view of U.S. Patent No. 5,990,793 (Bieback).

Reconsideration of the rejection of claims 2-5 and 7-13 and favorable consideration of new claims 17 and 18 are requested.

Each of independent claims 7 and 11 has been amended to characterize the warning system as configured to be carried on a person. On the person is a control unit that is configured to operate via a wireless radio connection with at least one of: i) a radio pressure gauge for a compressed air breathing apparatus; ii) a vital function radio monitor; and iii) a radio measuring device for detecting gas and temperature conditions. The components of the warning system communicate wirelessly with the control unit with these components and the control unit directly on the person working in hazardous conditions.

As explained earlier, and verified by the Declaration of Mr. Klaus-Dieter Dahrendorf, communication between components of the nature claimed and a corresponding control unit has been effected using only wired connections. As also earlier explained, these wired connections are prone to being compromised by reason

of anticipated movement of the person performing functions in hazardous environments. For example, firefighters commonly are required to move against and past obstructions that may have a tendency to break a wired connection. Prior to applicant's invention, those in this art were required to assume this risk. Given the function of the control unit and its cooperating components, a failure could be life threatening to the person. Yet the industry proceeded using wired connections, in spite of this known risk.

Schubert is technology commonly owned by the assignee herein. Schubert discloses a conventional wired connection between components on the wearer's person.

The secondary references relied upon by the Examiner do not teach or make obvious wireless communication between a corresponding control unit and cooperating components on a person. Rather, each is concerned with transmission of signals to remote locations.

Fan discloses a wireless radio connection at 720A in Fig. 37 for communication to a remote base control center.

Bieback discloses a transceiver unit 11 and a separate command post 70 in Figs. 5 and 6 for remote communication.

Significantly, wireless radio communication between components in this and other similar environments has been utilized only where distances and layouts make wired communication impractical. Applicant acknowledges that it did not invent the concept of wireless communication in fields where individuals are working in hazardous conditions. However, conventionally, in this industry, as evidenced by the cited prior art, where geometry and distance have permitted wired connections, the

industry has utilized them consistently to effect communication between components, as claimed, on workers. Applicant submits that its concept of communicating wirelessly between components worn by an individual, as claimed, is not taught in or made obvious from the prior art.

Applicant respectfully submits that it is well accepted that for a rejection to be proper, a reason must be stated why references should be combined. As stated by the United States Supreme Court in *KSR*,

A patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art...[I]t can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does.

Applicant respectfully submits that the mere conclusory statement that Fan's disclosure of wireless radio connection makes obvious use of the same in Schubert is not adequate to support the rejection. As noted above, wireless communications have been utilized in this field where distances dictate that wired communications are impractical. However, in this industry, communication between components as claimed have been conventionally made through wired component connections when permitted by their proximity.

The Examiner's conclusions are also inconsistent with the statements made by Mr. Dahrendorf in his Declaration.

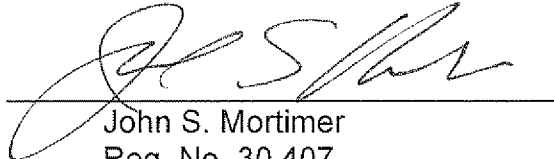
Accordingly, each of claims 7 and 11 is believed allowable. The remaining claims depend directly or indirectly either from claim 7 or 11 and recite further significant limitations to further distinguish over the applied art.

Reconsideration of the rejection of claims 2-5 and 7-13 and allowance of
the case are requested.

Respectfully submitted,

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